

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

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Case No.	CV 11-4444 CAS (JEMx)	Date	February 21, 2012
Title	<i>INDUSTRY CONCEPT HOLDINGS, INC.; ET AL. v. ALAN ELGORT; ET AL.</i>		

Present: The Honorable	CHRISTINA A. SNYDER, United States District Judge		
Catherine M. Jeang	Not Reported		N/A
Deputy Clerk	Court Reporter / Recorder		Tape No.
Attorneys Present for Plaintiffs:		Attorneys Present for Defendants:	
Not Present		Not Present	

Proceedings: (In Chambers:) **DEFENDANTS' MOTION FOR SUMMARY JUDGMENT** (filed 12/1/2011)

I. INTRODUCTION

The Court finds this motion appropriate for decision without oral argument. Fed. R. Civ. P. 78; Local Rule 7-15.

On May, 24, 2011, plaintiffs Industry Concept Holdings ("ICH") and Primp, Inc. (collectively, "plaintiffs") filed the instant action against defendants Alan Elgort, Larry Montoya, Adrea Payne, Fanny Garcia, Julie Saenz, and Pacific Apparel, LLC ("Pacific Apparel") (collectively, "Pacific Apparel defendants"), Marquette Commercial Finance ("Marquette"), VL Raymer ("Raymer"), HauteLook, Inc., ("HauteLook") (collectively, "Peripheral Defendants") and Does 1–10, for various trademark infringement, copyright infringement, and unfair competition claims. This case centers around a dispute over the use of certain trademarks in the sale of women's apparel. Primp, Inc., wholly owned by ICH, claims to be the exclusive owner of the Primp and Love Crush trademarks. The dispute arose when plaintiffs' former employees and officers began selling Primp and Love Crush apparel.

Defendants filed a motion for summary judgment on December 1, 2011. On December 15, 2011, the Court granted plaintiffs' counsel's ex parte application to be relieved as counsel. See Dkt. No. 206. The Court ordered plaintiffs—corporate entities that cannot appear pro se—to retain new counsel within thirty (30) days of the date of that order, and that failure to do so "may result in the imposition of monetary and/or terminating sanctions." Id. Plaintiffs have not retained new counsel and have not

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requested additional time to do so. Nor has an opposition to defendants' motion for summary judgment been filed. Pursuant to Local Rule 7-12, "[t]he failure to file any required paper, or the failure to file it within the deadline, may be deemed consent to the granting or denial of the motion." L.R. 7-12.

In accordance with the foregoing, the Court GRANTS defendants' motion for summary judgment.

IT IS SO ORDERED.

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Initials of Preparer SMOM